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**AMENDMENT AFTER FINAL
EXPEDITED HANDLING REQUESTED**

 <p>ADVANCED BIONICS</p> <p>25129 Rye Canyon Rd. Valencia, CA 91355</p>	FAX TRANSMITTAL To: US Patent & Trademark Office Examiner LoAn H. Thanh, Art Unit 3763, phone (703) 305-0038 Fax: (703) 872-9306 From: Laura Haburay Bishop phone (661) 362-1906 fax (661) 362-1507 Date: August 26, 2004 Pages: Ten (10), Including Cover Page Re: Supplemental Amendment Under 37 CFR 1.116 for S/N 10/057,144, filed January 24, 2002; Attorney Docket No.: AB-209U	Certificate of Transmission I hereby certify this correspondence, including the papers listed, is being facsimile transmitted to the U.S. Patent and Trademark Office, Fax. No. (703) 872-9306 on this date: <u>August 26, 2004</u> Typed Name: <u>Karvn M. Murray</u> Signature: <u>[Signature]</u> Date: <u>2004 Aug 26</u>
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MESSAGE:

Please find attached:

- Amendment Transmittal Letter, including authorization to charge \$410 to Deposit Account (1 page); and
- Supplemental Amendment Under 37 CFR 1.116, responding to a Final Office Action mailed April 22, 2004, for Application Serial Number 10/057,144 (8 pages).

Thank you.

[✓] Please Acknowledge Receipt of This Communication.**CONFIDENTIALITY NOTICE**

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AUG 26 2004

AMENDMENT TRANSMITTAL LETTER				Attorney Docket No: AB-209U		
Application Serial Number: 10/057,144		Filing Date: 1/24/2002		Examiner: LoAn H. Thanh		Group Art Unit: 3763
Title: Microminiature Infusion Pump						
TO THE COMMISSIONER OF PATENTS AND TRADEMARKS: Transmitted herewith is an amendment in the above-identified application. The fee has been calculated as shown below.						
CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	NO. OF EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	2	MINUS	22	0	\$18	\$0
INDEP. CLAIMS	1	MINUS	3	0	\$84	\$0
<u>X</u> Petition is hereby made under 37 CFR 1.136(a) to extend the time for response to the Office Action of <u>4/22/2004</u> to and through <u>8/26/2004</u> , comprising an extension of the shortened statutory period of: <u> </u> one month (\$110) <u> </u> three months (\$930) <u>X</u> two months (\$410) <u> </u> four months (\$1,450)						
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						
<u>X</u> Charge \$ <u>410.00</u> to Deposit Account <u>50-0648</u> .						
<div style="display: flex; justify-content: space-around;"><div><u>2004 Aug 26</u> Date</div><div><u>Laura H. Bishop</u> Laura Haburay Bishop Reg. No. 47424</div></div>						
I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office, Fax. No. (703) 872-9306 on <u>August 26, 2004</u> .						
<u>Karyn M. Murray</u> Karyn M. Murray						

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Docket No.: AB-209U

AUG 26 2004**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Appl. No.: 10/057,144
Conf. No.: 2473Applicants: Whitehurst, et al.
Filed: January 24, 2002
TC/A.U.: 3763
Examiner: Thanh, LoAn H.

Title: Microminiature Infusion Pump

Docket No.: AB-209U
Customer No.: 23845**Certificate of Transmission or Transmission**
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage for first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450, or is being facsimile transmitted to the U.S. Patent and Trademark Office,on this date: August 26, 2004Typed Name: Karyn M. MurraySignature: [Handwritten Signature]Date: 2004 Aug 26Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**AMENDMENT AFTER FINAL
EXPEDITED HANDLING REQUESTED****Supplemental Amendment Under 37 CFR 1.116**

Dear Examiner:

This supplemental amendment responds to the final Office action mailed April 22, 2004 for the above-identified application, in which claims 19, 20, 23, 25, and 26 were rejected and claim 24 was considered allowable if rewritten in independent form. A request for a two-month extension of time is submitted concurrently herewith.

By way of the present amendment, claim 24 has been rewritten in independent form, including all the limitations of base claim 19 and intervening claim 20. Two (2) claims remain pending in the application, claims 24 and 25. Applicant submits that this Amendment places the claims in condition for allowance and/or in better form for consideration on appeal.

It is earnestly requested that this Amendment be considered and entered.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims begin on page 4 of this paper.

Remarks/Arguments begin on page 6 of this paper.

Application Number 10/057,144
Amendment dated August 26, 2004
Supplemental Reply to final Office action mailed April 22, 2004

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